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Notice of Allowability	Application No.	Applicant(s)	
	10/712,956	GRIFFITH, LIONELL K.	
	Examiner	Art Unit	
	Chih-Cheng Glen Kao	2882	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☐ The drawings filed on ____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date ____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Berliner on September 16, 2004.

2. The application has been amended as follows:

In claim 1, line 6, in the phrase "the coordinate"; replacing "the" with - -a- -

In claim 1, line 7; replacing "ray of energy" with - -sensor- -

In claim 1, line 13, in the phrase "at location distal"; inserting - -a- - before "location"

In claim 1, line 22, in the phrase "determine the central coordinates"; replacing
"determine" with - -determining- - and deleting "the"

In claim 1, line 25, after the phrase "the coordinate of"; inserting - -the- - after "of"

In claim 2, line 1, in the phrase "the triangle"; replacing "the" with - -a- -

In claim 5, line 1, in the phrase "claim 3"; replacing "3" with - -4- -

In claim 10, line 6, in the phrase "the coordinate"; replacing "the" with - -a- -

In claim 10, line 15, in the phrase "at location distal"; inserting - -a- - before "location"

In claim 10, line 24, in the phrase "determine the central coordinates"; replacing
"determine" with - -determining- - and deleting "the"

In claim 10, line 25, in the phrase "the triangle"; replacing "the" with - -a- -

In claim 10, line 36, after the phrase "the coordinate of"; inserting - -the- - after "of"

Drawings

3. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: inserting #26 into Figure 9 and replacing "Misalignm nt" with - - Misalignment- - in Figure 10. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Allowable Subject Matter

4. Claims 1-10 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, prior art does not disclose or fairly suggest in a digitized tomosynthesis method, the improvement according to which a coordinate of a source position with respect to a ray of energy is determined including the step of using an elevation angle and azimuth to compute the coordinate of the source position with respect to a sensor, in combination with all the limitations in the claim. Claims 2-9 are allowed by virtue of their dependency.

Regarding claim 10, prior art does not disclose or fairly suggest in a digitized tomosynthesis method, the improvement according to which a coordinate of a source position with respect to a image plate is determined including the step of using an elevation angle and azimuth to compute the coordinate of the source position with respect to the image plate, in combination with all the limitations in the claim.

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5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patents 5051904, 5070454, and 5319550, disclose digitized tomosynthesis for obtaining 3D volumetric image of an object.

US Patent 4777360 discloses obtaining a shadow image (Fig. 10) and computing the azimuth (col. 8, lines 3-5).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chih-Cheng Glen Kao whose telephone number is (571) 272-2492. The examiner can normally be reached on M - F (9 am to 5 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



gk



EDWARD J. GLICK
SUPERVISORY PATENT EXAMINER